

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

CIVIL NO. 3:98CV220

**VONNIE K. AGNER, and wife,
AGNER, *et al.*,**

**This document pertains to:
IRVIN C. GOBBLE; and ALBERT L.
TITTLE, and wife MARY M. TITTLE,**

Plaintiffs,

Vs.

**DANIEL INTERNATIONAL
CORPORATION, f/k/a Daniel
Construction Company, *et al.*,**

Defendants.

ORDER

THIS MATTER is before the Court on the motions of Defendant Fluor Enterprises, Inc., for summary judgment as to each of the captioned Plaintiffs and on Plaintiffs' second motion for an extension of time in which to respond to those motions.

Because these Plaintiffs and the Defendants have advised the Court that all matters in controversy have been settled between them,

IT IS, THEREFORE, ORDERED that the Defendant Fluor's motions for summary judgment as to each respective Plaintiff are hereby **DENIED** as moot.

IT IS FURTHER ORDERED that Plaintiffs' second motion for an extension of time is **DENIED** as moot.

IT IS FURTHER ORDERED that the parties' settlement documents, *i.e.*, consent judgment, stipulation of dismissal, or joint motion to dismiss, *etc.*, be filed with the Court on or before 90 days from entry of this Order.

Signed: August 22, 2007

A handwritten signature in dark ink, appearing to read 'L. H. Thornburg', written over a horizontal line.

Lacy H. Thornburg
United States District Judge

